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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL J. WELLS,

CASE NO. 3:19-cv-00407-MMD-CLB

Plaintiff,

v.

TAMI PERRIELLO, in her official capacity
as Administrator of the U.S. SMALL
BUSINESS ADMINISTRATION,
DOES 1-10; and ROE CORPORATIONS
I through X,

**STIPULATION FOR EXTENSION OF
TIME TO FILE OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS,
OR ALTERNATIVELY, MOTION FOR
SUMMARY JUDGMENT
(FIRST REQUEST)**

Defendants.

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Local Rule IA 6-1, and Local Rule 26-3, Plaintiff MICHAEL J. WELLS and Defendant TAMI PERRIELLO respectfully request to extend the deadline for Plaintiff to respond to Defendant's Motion to Dismiss, or Alternatively, Motion for Summary Judgment, until April 19, 2021. For the reasons set forth below, good cause exists to extend the deadline.

A. REASON FOR EXTENSION

Plaintiff's counsel has been inundated with his regular case load, with the discovery phase in many of those cases proceeding rather expeditiously at this time. Plaintiff's counsel has numerous depositions scheduled, oral arguments scheduled for pending motions, which will have to include travel time to Nye County where appearance is mandatory, scheduled arbitrations and mediations, as well as a trial scheduled for June, 2021, which is taking up a great deal of time in preparation for the same. In addition, the COVID-19 pandemic has considerably slowed the time it takes to litigate cases, including the time to obtain records, interview witnesses, consult with experts and the like.

1 For the above reasons, the parties respectfully request that the Court grant the Stipulation to
2 Extend the Deadline for Plaintiff to respond to Defendant's Motion to Dismiss. This stipulated
3 request is filed in good faith and not for the purpose of undue delay. *See* Fed. R. Civ. P. 6(b)(1)(A)
4 ("When an act may or must be done within a specific time, the court may, *for good cause*, extend the time...
5 with or without motion or notice if the court acts, or if a request is made, before the original time or its
6 extension expires[.]") (emphasis added).

7 **B. DISCOVERY THAT REMAINS TO BE COMPLETED**

8 Discovery closed on November 2, 2020.

9 DATED: February 4, 2021.

10 **ERICKSON, THORPE & SWAINSTON, LTD.**

11 /s/ John C. Boyden
12 JOHN C. BOYDEN, ESQ.
13 PAUL M. BERTONE, ESQ.
Attorneys for Plaintiff

14 DATED: February 4, 2021.

15 **NICHOLAS A. TRUTANICH**
16 **United States Attorney**

17 /s/ Holly A. Vance
18 HOLLY A. VANCE, ESQ.
Attorneys for Defendant

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20 **IT IS SO ORDERED.**

21 DATED: February 4, 2021.

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23 

24 **CARLA BALDWIN**
25 **U.S. MAGISTRATE JUDGE**
26 **MIRANDA M. DU,**
27 **CHIEF U.S. DISTRICT JUDGE**
28

CERTIFICATE OF SERVICE


Pursuant to FRCP 5(b), I certify that I am an employee of ERICKSON, THORPE & SWAINSTON, LTD., and that on this day I served a true and correct copy of the attached document by:

- ☐ U.S. Mail
☐ Facsimile Transmission
☐ Personal Service
☐ Via E-Mail
☐ Messenger Service
☒ CM/ECF Electronic Service

addressed to the following:

NAME & ADDRESS	PHONE/FAX NUMBERS	PARTY
Holly A. Vance Assistant U.S. Attorney 400 S. Virginia Street, Suite 900 Reno, NV 89501 Holly.A.Vance@usdoj.gov	(775) 784-5438	United States

DATED this 4th day of February, 2021.


 P. Simon